

# Why the Age of Majority should be lowered

*While the Age of Majority figure of 18 predominates today in discussions about adult versus minor rights, other legal age concepts introduce a great deal of confusion as well as irrationality into law. This is not the only reason, in turn, why the Age of Majority should be lowered. Cesidian law provides a stepping stone to youth rights early on in life, and a more rational and flexible timetable for social, intellectual, and career development.*

**By Hon. Most Rev. Dr. Cesidio Tallini**

According to *Wikipedia* data on 136 countries, the average *Age of Majority* turns out to be roughly 18.29 years worldwide. The Age of Majority refers to that age when the threshold of adulthood as it is conceptualized in law is reached. Often referred to as 'legal age', this is the age when children legally cease to be minors and assume control over their persons, actions and decisions, thereby terminating the legal control and legal responsibilities of their parents over and for them. As the *Wikipedia* puts it, the word *majority* refers to having greater years and being of full age, as opposed to *minority*, the state of being a minor. At the Age of Majority one may enter into a binding contract, buy stocks, vote, is generally able to buy and/or consume alcoholic beverages, can drive a motor vehicle on public roads, and can generally marry without the consent of others.<sup>1</sup>

It should be noted that the Age of Majority is not the same as the Age of Criminal Responsibility. In the US, where the Age of Majority is in most cases 18, the Age of Criminal Responsibility is 10 in most states and for federal crimes, not 18. You can be as young as 10 to be considered criminally liable in most states, and yet you still cannot exercise your right to vote for another 8 years. This lacuna doesn't make much sense legally or morally.<sup>2</sup>

The Age of Majority should not be confused with the Age of Consent. This is the age at which a person is considered to be capable of legally giving informed consent to any contract or behaviour regulated by law with another person, and this age is normally used for laws regulating sexual acts. Around the world, most countries seem to have a legal Age of Consent, but that consent is often illegal when it is for homosexual sex acts. In the US, the Age of Consent varies from state to state, but is about 16.63 years on average. In other words, in most cases in the US you can give your consent to sex, but for some strange reason you still cannot vote. Even more paradoxically, you can consent to sex, and even get some girl pregnant at 16 in many states across the US, but you will have to wait another two years before you can buy the latest edition of *Playboy*. That too makes a lot of sense! Concerning same-sex activity, the US Supreme Court has recently struck down laws that outlawed consensual, same-sex adult sexual activity, so the Ages of Consent for male-male and female-female sex are now the same as the age for male-female sex. However, in some states it is not entirely clear how the decision will be applied to their laws.<sup>3,4</sup>

Then there is the Legal Drinking Age. This is the age at which a person can purchase or consume alcoholic beverages legally. While in most countries that age is 18, more or less in tune with the Age of Majority, in many advanced countries you still cannot purchase alcoholic beverages legally at the Age of Majority. In the US there is no longer Prohibition, but a form of Prohibition still survives, since you need to be 21 in order to be able to purchase a beer at the local store. You can die for the country in Iraq or Afghanistan, but you cannot buy a can of beer

on your own at the same age! You can be in 'stupor' for Barack Obama, even vote for him in the November election, but you cannot get even slightly tipsy on a glass of good red wine, which actually has health benefits when consumed in moderation. Even more confusing, in some states alcoholic beverages are illegal. In Libya, for instance, all alcohol beverages are illegal, while across the border in equally Muslim Tunisia there isn't even a legal drinking age. Then there are the discrepancies in many countries which have separate alcoholic drinking and alcoholic purchasing ages. In Israel, even a child of 10 is permitted in theory to drink a glass of wine at the table with his or her parents, but you need to be 18 in order to be able to purchase that same bottle of wine on your own. In Italy, there is also no legal drinking age in private settings, but you can drink or purchase wine in public places at 16, which is under the Age of Majority of 18. The US is also a paradox in this regard. While you cannot drink or purchase wine in public places before the age of 21, few states specifically prohibit minor and young adult consumption of alcohol in private settings. Also, Federal law explicitly allows wine for religious, medical, employment, and even for private club possession exceptions, so an 18-year-old Catholic priest may consume wine during the mass, as required by Catholic liturgy, and yet that same priest may still have trouble purchasing the same wine at the local store.<sup>5</sup>

In order to more or less complete this discussion of different legal ages, one needs to mention also the Marriage or Marriageable Age. This is the age at which a person is allowed to marry by right. There is also a lower marriageable age in which marriage can be allowed with parental and/or judicial consent, that is, what is in effect a marriageable age by privilege. The Marriageable Age by right usually coincides with the Age of Majority in most countries, even though the two ages are separate legal concepts. Most countries also allow a lower marriageable age by privilege with parental and/or judicial consent, but in some countries, such as China, India, Indonesia, Philippines, Singapore or Senegal, the Marriageable Age is higher than the Age of Majority. New York State law shows just how irrational these legal age laws can get. It allows people to marry by right at the age of 18, which is also the Age of Majority, but also allows marriage with parental consent at 16, and marriage even at 14 with parental and judicial consent.<sup>6</sup>

It is clear that the Age of Majority is important for exercising adult rights and some, but not all, adult privileges, but it probably makes sense to lower the Age of Majority in order to bring it more in line with the Age of Criminal Responsibility, the Age of Consent, and the marriageable age by privilege. It doesn't make sense to do so only because of the wide differences in the legal ages. It also makes sense for other reasons.

Ilya Somin, Assistant Professor at George Mason University School of Law theorises, in a well-reasoned article, that the reason why 18-year-old adults can be easily conscripted for mandatory 'national service' around the world, while the elderly cannot be conscripted even for non-strenuous civilian service tasks, for which they would be even more suitable than the young, has more to do with the *Age of Majority* than with any legal logic or morality. Research shows that 18- to 21-year-old persons are less likely to vote, less likely to engage in political activism, and have lower political knowledge levels than any other age group. It is also clear that they have less money to fight legal battles for their own age group (the *Legal Working Age* in most developed countries is equivalent to the *Age of Majority*, unless you have a Minor Working Permit); they make fewer campaign contributions (you cannot easily contribute unless you have a regular income, and most youth under 18 are unemployed or underemployed); and are least likely to hold positions of power in government either because of immaturity, or outright bans such as *Age of Candidacy* requirements. While in the US a person can do almost anything at the age of 21, even drink or purchase hard liquor, he or she still has to wait until 25 years of age in

order to become a US Representative, until 30, in order to become a US Senator, and until 35, in order to become a US President. Most states in the US also have age requirements for the offices of Governor, State Senator, and State Representative, and some states have a minimum age requirement to hold any elected office (usually 21 or 18). When you add to the fact that most 18- to 21-year-old persons have either not voted or voted only once, and have a right to work only with parental consent before the Age of Majority, and limited job opportunities even after 18, it is clear why they have and exercise so little political power.<sup>7,8</sup>

Cesidian law lowers the Age of Majority, and thus the Voting Age, to 14 years of age, giving youth additional experiences, as well as reasons for making informed decisions at an earlier stage in life. However, under Cesidian law the Age of Majority also rationally coincides with the Age of Criminal Responsibility, the Age of Consent, and the Legal Working Age (without a Minor Working Permit). Under Cesidian law, at the Age of Majority one would also be able to legally drink or purchase wine or beer in a glass, can, or small bottle.

One would still be required to graduate from secondary school in order to be able to quit school, in order to get married with parental consent, or in order to gain a Restricted Driving Licence. All or most of these could be attainable, at least in theory, by the age of 17, with obligatory 5-year-old primary school entrance as the norm.

Other legal ages, such as those required for a full Legal Drinking Age, full Marriageable Age, Standard or Commercial Driving Licences, and the Age of Candidacy are postponed until the age of 21, when one has indeed more maturity, life experience, money, and perhaps even a much-needed Bachelor's degree, in order to be able to deal with those rights and privileges most effectively.

## References

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